GOVERNMENT OF INDIA
MINES AND MINERALS
LOK SABHA

UNSTARRED QUESTION NO:5451
ANSWERED ON:28.04.2000
SINGARENI COLLIERIES COMPANY LIMITED
MALYALA RAJAIAH

Will the Minister of MINES AND MINERALS be pleased to state:

(a) whether Andhra Pradesh Government hasrequested the Union Government to help the domestic coal industry like Singareni Collieries from the threat of large scale import of coal at cheaper rate; and

(b) if so, the action taken by the Government in this regard?

Answer

THE MINISTER OF STATE FOR MINES & MINERALS

(SMT. RITA VERMA)

(a)&(b): Chief Minister of Andhra Pradeshhas written a letter dated 17.12.1999 to Union Minister ofLabour in which a request has been made for amendments to notifications issued under the Contract Labour (Regulationand Abolition) Act, 1970 for unhindered deployment of Contract Labour.

With reference to the above request, the current position as obtained from Ministry of Labour is reproduced below:

The Central Government has, vide notificationno. SO 2063dated 21.6.1988 prohibited the employment of contract labour i n the following jobs in all coal mines in the country;

(i) Raising or raising-cum- selling of coal;

(ii) Coal loading and unloading;

(iii) Overburden removal and earth cutting;

(iv) Soft coke manufacturing;

(v) Driving of stone drifts and miscellaneous stone cutting underground;

The notification, however, provides that it shall not apply to the following categories:

(a) Quarries in the North-east coal fields which can only be worked for a few month every year due to heavy rainfall in the area;

(b) Quarries located by the side of the river in Pench valley and similar other patch deposits which can only be worked when the level of river has gone down and during non- rainy season;

(c) Loading of coal when there is mechanical failure, failure of power or irregular supply of wagon by the railways; and

(d) Cutting of stone drifts/faults which cannot be detected in advance and are of short duration, say upto six months.

The Ministry of Labour has granted exemption, under section 31 of the Contract Labour(Regulation and Abolition) Act,1970, to Kasta and Kalidaspur areas of Eastern Coalfields Limited from the aforesaid notification for a period of 5 years from 20.5.1997.

The Central Government hasalso prohibited employment of contract labour in the jobs of sweeping, cleaning, dusting and watching of buildings owned or occupied by the establishments in respect of which the Central Government is the appropriate Government under the Contract Labour (Regulation and Abolition) Act, 1970 vide notification No. S.O. 779(E) dated 9.12.1976.

The Supreme Court in the matter Air India Statutory Corporationvs. United Labour Union and othershave laid down that having abolished the employment of contract labour, the Central Governmentis denuded of its power to go once over into the self same question. Hence, amendment to the notifications dated 21.6.88 and 9.12.1976 cannot be considered i n the present circumstances. However, the management concerned can request for exemption, under section 31 of the Act, if the case so warrants.